

**Department of Social Services
Office of Recoveries
& Fraud Investigations**

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Visit our Web site at:

**[www.state.sd.us/
social/recoveries](http://www.state.sd.us/social/recoveries)**

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It is the policy of the Department of Social Services (DSS) to make sure that applications for program benefits and services are made available to everyone and that program benefits are granted to all who meet eligibility standards. DSS staff, programs and policies must not discriminate against clients or applicants for services because of race, color, sex, age, disability, religion and national origin. DSS must also provide fair and equal access to all of its programs and services for people with disabilities; this includes both physical access to buildings and access to programs and services. To file a complaint of discrimination write: PMB0141-1, DSS Human Resource Manager, 500 East Capitol Ave., Pierre, SD 57501-5070 or call: (605) 773-6941. If you have a question regarding program services, please contact your nearest DSS office.

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What You Should Know About Medicaid Liens



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What is a Medicaid Lien?

A Medicaid lien is a claim placed against a person's property to ensure that he or she pays a debt.

The SD Department of Social Services may impose a lien on the property of a Medicaid recipient if he or she retains a home and resides in a nursing home or other medical institution with the intent to return to the home and is unable to do so.

The department will notify a recipient if it intends to impose a lien. The amount claimed as a lien will be equal to the amount of assistance that the Department of Social Services provides to a Medicaid recipient while residing in the institution.

The lien will dissolve when the recipient is medically released from the nursing facility or institution and returns to his or her home.

Your Home May Be Exempt

The Department of Social Services will not impose a lien on the home of a Medicaid recipient if:

The recipient has a spouse lawfully residing in the home.

The recipient has a child under age 21.

The recipient has a child that is blind or disabled (as determined by Supplemental Security Income).

The recipient's sibling has co-ownership in the home property and has lawfully resided there continuously for at least one year immediately before the recipient was admitted to the nursing facility or institution.

Why does the state impose liens on home property?

The 1994 State Legislature authorized the Department of Social Services to impose liens on real property to allow the state to recover the costs of Medicaid benefits paid to recipients while in a nursing facility or institution.

